

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re

WORLDCOM, INC., et al.

Debtors

MCI WORLDCOM
COMMUNICATIONS, INC. f/k/a
WORLDCOM TECHNOLOGIES, INC.

Plaintiff

v.

COMMUNICATIONS NETWORK
INTERNATIONAL, LTD.,

Defendant

Chapter 11
Case No. 02-13533 (AJG)

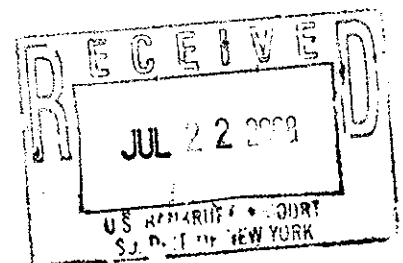
(Jointly Administered)

Adversary Proceeding
No. 04-04338 (AJG)

**Pursuant to F. R. BANKR. P. 8006, Appellant CNI Designates Items for
the Record on Appeal and Makes a Statement of the Issues for the
Appeal of 6 Orders Appealed Together.**

A. Introduction

CNI below designates items to be included in the record on appeal and also makes a statement of issues to be presented on appeal. On July 8, 2008, CNI filed two separate notices of appeal and this statement relates to the notice of appeal given for orders entered on June 25, 2008, and dated April 30, 2008, January 9, 2008, December 7, 2007, September 6, 2007, July 9, 2007 and March 13, 2006. This statement does NOT relate to the notice of appeal given for the order dated April 4, 2006 which is covered in a separate filed statement.



B. Items to be Included in the Record on Appeal.

1. Transcript from trial on WorldCom's damages.
2. Exhibits from trial on WorldCom's damages.
3. Deposition transcripts with exhibits from the depositions of Curtis Cooke (Exhibits 1-41), Larry Willis (Exhibits 1-9) Joe Coffey, Harry Donahue (all marked exhibits), Mary Green (exhibits 1-14).
4. Pleadings in this action, particularly the complaint and answer (as amended) and counterclaim.
5. Briefs with exhibits filed in this action and correspondence to the court on payment of interest.
6. WorldCom Tariff FCC No. 1, Second Revised.
7. Court Order of Nov. 2, 2001 by Judge Kelly, E.D.Pa., Action 01-762.
8. Order of the State of Vermont, Public Service Board, Docket No. 6331, April 20, 2000.
9. Court Order of July 30, 2002 by Judge Kelly, E.D.Pa., Action 01-762.
10. FCC Order Released Nov. 17, 2000, Docket # 96-61.

C. Statement of the Issues to be Presented On Appeal.

The Bankruptcy Court erred because it entered summary judgment in WorldCom's favor and against CNI on WorldCom's complaint, awarded WorldCom damages and did so in the incorrect amount, and failed to follow the applicable law on calculating interest. The court erred because:

(LIABILITY)

1. It failed to follow the standards that apply to a motion for summary judgment.
2. Summary judgment was not appropriate because the facts do not support a finding of undisputed facts that entitle WorldCom to a judgment as a matter of law.
3. Its finding of default was incorrect because CNI's payments were timely made in accordance with the agreements between the parties, including the written agreements for credits to CNI.
4. It made an error of law when it found the Filed Rate Doctrine limited CNI's defenses.
5. The court incorrectly rejected the testimony of CNI as to the terms of the agreement between the parties.
6. At the least, there is a genuine issue of fact on the terms of the agreement between the parties- precluding summary judgment.
7. The judgment entered in favor of WorldCom on the motion for summary judgment and the judgment for damages.
8. The Bankruptcy Court's opinion on the motion for summary judgment.
9. The parties' briefs and motion on the motion for summary judgment.
10. Notice of Appeal.

(DAMAGES)

11. CNI was denied its right to a jury trial in the damages trial.


UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re	:	
	:	Chapter 11
WORLDCOM, INC., et al.	:	Case No. 02-13533 (AJG)
	:	
Debtors	:	(Jointly Administered)
	:	
MCI WORLDCOM	:	
COMMUNICATIONS, INC. f/k/a	:	
WORLDCOM TECHNOLOGIES, INC.	:	
	:	
Plaintiff	:	
	:	
v.	:	Adversary Proceeding
	:	No. 04-04338 (AJG)
COMMUNICATIONS NETWORK	:	
INTERNATIONAL, LTD.,	:	
	:	
Defendant	:	

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of July, 2008, a true and correct copy of the foregoing document was served via first-class mail, postage prepaid, addressed as follows:

Mark Shaiken, Esquire
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William M. Mullineaux